



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Lawrence R. Green, et al.

Application No.: 09/506,430

Filed: February 17, 2000

For: Pharmaceutical Dipeptide  
Compositions and Methods of Use  
Thereof

Group Art Unit: 1653

Examiner: David Lukton

Confirmation No.: 6441

SUBMISSION OF REVOCATION AND NEW POWER OF ATTORNEY  
BY ASSIGNEE OF ENTIRE INTEREST

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUN 05 2003

TECH CENTER 1600/2900

Sir:

Enclosed is a Statement under 37 CFR 3.73(b), a Change of Correspondence Address for Application, and a Revocation and New Power of Attorney by Assignee of Entire Interest for the above-referenced application.

The new Attorney Docket No. for this file is 033599-015. Please update the file accordingly, and use this number in correspondence related to this file.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02 4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Sherry M. Carty  
Sherry M. Carty  
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(919) 941-9240

Date: June 2, 2003



Attorney's Docket No. 033599-01

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REVOCATION AND NEW POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

As the Assignee of the entire interest in the above-identified application, all powers of attorney previously given are hereby revoked, and Allen R. Baum, Reg. No. 36,086; Mary B. Grant, Reg. No. 32,176; Joshua T. Elliott, Reg. No. 43,603 and Sherry M. Carty, Reg. No. 51,534 are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected with the above-identified application.

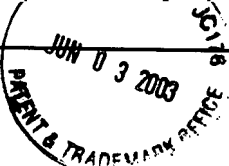
Please direct all telephone calls and correspondence to:

Allen R. Baum  
Burns, Doane, Swecker & Mathis, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(919) 941-9240

Date: 5/1/2003

Signature:

Name: Moise A. Khayrallah  
Title: Chief Operating Officer  
Company: Melmotte, Inc.



Attorney Docket No. 033599-015

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Lawrence R. Green, et al.

Application No./Patent No.: 09/506,430

Filed/Issue Date: February 17, 2000

Entitled: Pharmaceutical Dipeptide Compositions and Methods of Use Thereof

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JUN 05 2003

Melmotte, Inc.  
(Name of Assignee)

corporation

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(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
- ☐ an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors of the above-identified application To: Cytoven

The document was recorded in the United States Patent and Trademark Office at Reel 8014, Frame 0777, or for which a copy thereof is attached.

2. From: Cytoven

To: Cytran, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 8955, Frame 0466, or for which a copy thereof is attached.

3. From: Cytran, Inc.

To: Melmotte, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/1/2003

Date

Moise A. Khayrallah

Typed or printed name

Signature

Chief Operating Officer

Title

BURNS DOANE

STATEMENT UNDER 37 CFR 3.73(b)

## ASSIGNMENT

THIS ASSIGNMENT, by CYTRAN, INC., a corporation duly organized under and pursuant to the laws of WASHINGTON and having its principal place of business at 10230 N.E. POINTS DRIVE, SUITE 530, KIRKLAND, WASHINGTON 98033 (hereinafter referred to as "the Assignor"), witnesses:

WHEREAS, the Assignor is the owner of the entire right, title, and interest set forth in the U.S. Patents and Applications for Patent listed in Schedule A and the inventions disclosed therein.

WHEREAS, MELMOTTE, INC. a corporation duly organized under and pursuant to the laws of DELAWARE, and having its principal place of business at 3900 PARAMOUNT PARKWAY, MORRISVILLE, NORTH CAROLINA, 27560, U.S.A. (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said U.S. Patents, Patent Applications, and inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said applications, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned U.S. Patents, Patent Applications, and inventions vested in Assignor, the right to file applications on said inventions and the entire right, title, and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications vested in Assignor, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, to the extent the Assignor is the owner of any right, title, and interest in and to the inventions set forth in said patents and applications, including provisional applications, above-mentioned, are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any applications claiming priority to said applications, divisions, continuations, or continuations-in-part of any applications for Letters Patent or Patents, or any reissues or extensions of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date March 19<sup>th</sup> 2003

Signature of Assignor Peter Spurgin

Name: Peter Spurgin

Title: Vice President

Company: Cytran, Inc.

## Schedule A

<b>Title</b>	<b>Application Number</b>	<b>Filing Date</b>	<b>Patent Number</b>	<b>Attorney Docket No.</b>
Analog of L-Glu-L-Trp Having Pharmacological Activity	10/146,447	05/14/2002		033559-002
Analog of L-Glu-L-Trp Having Pharmacological Activity	09/535,429	03/23/2000		033599-005
Analog of L-Glu-L-Trp Having Pharmacological Activity	09/055,051	04/03/1998	6,060,452	033599-093
Immunomodulating Peptides and Methods of Use	08/484,511	06/07/1995	6,100,380	033599-036
Immunomodulating Peptides and Methods of Use	08/144,779	10/28/1993	6,066,622	033599-038
Pharmaceutical Angiostatic Dipeptide Compositions and Methods of Use Thereof	08/614,764	03/13/1996	5,902,790	033599-013
Method for Treatment of Purulent Inflammatory Diseases	08/452,061	05/26/1995	5,807,830	033599-073
Methods for Normalizing Numbers of Lymphocytes	08/452,411	05/26/1995	5,728,680	033599-072
Methods of Identifying Cytomedines, Compositions and Uses Thereof	09/882,779	06/14/2001		033599-039
Methods of Treating Complications in Immunodepressed States Resulting From HIV Infection	08/977,279	11/24/1997	6,368,788	033599-014
Pharmaceutical Dipeptide Compositions and Methods of Use Thereof	09/057,347	04/08/1998	6,139,862	033599-040
Pharmaceutical Tryptophan Containing Dipeptide Compositions and Methods of Use Thereof	10/164,693	06/06/2002		033599-042
Pharmaceutical Dipeptide Compositions and Methods of Use Thereof	08/415,099	03/31/1995	5,789,384	033599-043
Pharmaceutical for the Therapy of Immune Deficiency Conditions	08/482,121	06/07/1995	5,814,611	033599-069
Pharmaceutical Preparation for the Therapy of Immune Deficiency Conditions	09/144,960	09/01/1998	6,136,788	033599-070
Pharmaceutical Dipeptide Compositions and Methods of Use Thereof: Immunodepressants	08/450,904	05/26/1995	5,811,399	033599-071
Peptides having Potassium Channel Opener Activity	08/908,328	08/07/1997	5,972,894	033599-102
Pharmaceutical Angiostatic Dipeptide Compositions and Methods of Use Thereof	09/260,190	03/01/1999	6,096,713	033599-089
Pharmaceutical Angiostatic Dipeptide Compositions and Methods of Use Thereof	09/506,430	02/17/2000		033599-015
Pharmaceutical Dipeptide Compositions and Methods of Use Thereof: Immunostimulants	10/076,707	02/14/2002		033599-003
Pharmaceutical Dipeptide Compositions and Methods of Use Thereof: Systemic Toxicity	08/452,077	05/26/1995	5,770,576	033599-104

**Schedule A (continued)**

Pharmaceutical Lysine-Containing Polypeptide Compositions and Methods of Use Thereof	09/368,449	08/04/1999	6,346,514	033599-012
Pharmaceutical Lysine-Containing Polypeptide Compositions and Methods of Use Thereof	09/872,503	05/31/2001		033599-019
Pharmaceutical Preparation for the Therapy of Immune Deficiency Conditions	08/337,341	11/10/1994	5,538,951	033599-011
Pharmaceutical Preparation for the Therapy of Immune Deficiency Conditions	08/486,044	06/07/1995	5,767,087	033599-103